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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,935	07/25/2003	Josef Woller	41133US	3690

29450 7590 10/18/2004
BARLEY SNYDER, LLC
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EXAMINER

PATEL, VISHAL A

ART UNIT PAPER NUMBER

3676

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/627,935

Applicant(s)

WOLLER ET AL. 

Examiner

Vishal Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 14 and 15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Newly submitted claims 14-15 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The claims 14-15 claim structure of a sealing arrangement that has a line and a line, which makes these claims combination claims that are read on to figures 1-2. The original claims were to figure 3, which has a seal device that has a tubular body, sealing lips and anti-rotational element.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 14-15 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4-12 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grunau (US. 4,375,011) in view of Law (US. 4,900,068).

Grunau discloses a sealing device for sealing a line relative to a line duct (line 20 and duct 12, this is considered to be intended use). The sealing device having a substantially tubular seal (16) disposed between the line and the line duct (12) and the line (20) being introducible at least partially into the line duct. The tubular seal having at least one sealing lip located on a wall

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of the seal (lips 32). A force applied at an end of the tubular seal causes the seal to expand against both the line and the line duct to form a pressure-tight seal (this is the case because the nut is tightened to make the seal expand by contacting at 38 and at 34, so the sealing device would provide a seal against the line and the line duct). The seal having plurality of lips (lips 32), which are disposed approximately equidistantly along an inner wall thereof (inner wall of 16). The sealing device comprises a screw-down nut (14), which is connectable to the line duct in such a way that the seal is pressed against the line. The screw-down nut comprises a thread (threads of 14), which is screw-connectable to the line duct (threads 10 of duct 12). The seal has a rotationally symmetrical shape. The sealing device effects sealing of an electric cable relative to a cable gland (cable 20 and gland 12). The cable gland is disposed on a housing of a plug-in connector (the cable gland 12 must be mounted on a housing by internal thread of 12). The dimensions of the line, the seal and the line duct are so selected that through their connection, an interference fit is produced (this is the case since the line and seal contact each other). The line (20) overlapping at least a portion (portion of duct) of the line duct (12) along an axis of the substantially tubular body (tubular body of 16).

Regarding claim 13: The tubular body having an outer surface *configured to engage an inner surface of the line duct*, an inner surface *configured to engage an outer surface of the line (intended use)*, and an end *configured to receive a compressive force (intended use)*.

Grunau disclose the invention substantially as claimed above but fail to disclose that the seal comprises anti-rotation element, where the anti-rotation element is formed by an interlock between the seal and the line duct, the seal comprises a circumferential stop projection, which may be brought into contact with an end face of the line duct that has complementary

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projections. Law discloses a member (18 for a cable) that has resilient fingers (20), the member having anti-rotation elements (28, which are projections and depressions or interlock), the member placed in a line duct (line duct 10), the line duct having anti-rotation elements (29, which are projections and depressions or interlock) and the anti-rotation elements of both the line duct and seal interact to prevent rotation of the member with respect to a nut-screw (23). It would have been obvious to one having ordinary skill in the art at the time the invention was made to configure the line duct and the seal of Grunau to provide anti-rotation elements as taught by Law, to prevent rotation of seal (inherent by meshing of two keys or interlocks 29 and 28, see figures 6-9 of Law).

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grunau and Law in view of Guest (US. 5,615,895).

Grunau and Law disclose the invention substantially as claimed above but fail to disclose that the seal has plurality of sealing lips on an outer wall. Guest discloses a seal having lips on an inner surface and also lips on an outer surface (figure 2). It would have been obvious to one having ordinary skill in the art at the time the invention was made to configure the seal of Grunau and Law to have plurality of lips on the outer wall as taught by Guest, to provide seal with the bore in which the sleeve is to be located (column 3, lines 20-23).

Response to Arguments

5. Applicant's arguments filed 8/3/04 have been fully considered but they are not persuasive. Applicants' argument that Granau does not disclose an anti-rotational element integrally formed in the seal is correct but Law teaches that an element can have anti-rotational element that are integrally formed on a back surface of the element. Furthermore having an anti-

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rotational element as taught by Law would provide a better seal device with fewer parts and less cost.

Applicants' argument that Granau does not disclose "a resilient tubular seal disposed between the line and the line duct and the line being introducible at least partially into the line duct" (this language is considered to be intended use). Furthermore Granau does teach a resilient tubular member between the line and the line duct (where a portion of 16 is substantially tubular form and is placed between a line 20 and a duct 12).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vishal Patel whose telephone number is (703) 308-8495. The examiner can normally be reached on Monday through Friday from 7:30 PM to 4:00 PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann, can be reached on (703) 306-4115.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168. Technology Center 3600 Customer Service is available at 703-308-1113. General Customer Service numbers are at 800-786-9199 or 703-308-9000. Fax Customer Service is available at 703-872-9325.

Any response to this action should be mailed to:


Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to: 703-872-9326, for formal communications for entry before Final action: or,
703-872-9327, for formal communications for entry after Final action.

Hand-delivered responses should be brought to Crystal Park Five, 2451 Crystal Drive, Arlington, Virginia, Seventh Floor (Receptionist suite adjacent to the elevator lobby).

VP

October 7, 2004


ALISON PICKARD
Primary Patent Examiner
Tech. Center 3600